

## UNITED STATES DISTRICT COURT

for the  
District of Arizona

United States of America )

v. )

Armando Sandoval Ochoa, )

a.k.a.: Armando Sandoval-Ochoa, )

a.k.a.: Armando Sandoval, )

a.k.a.: Luis Ochoa, )

(A095 288 204)

*Defendant*

Case No. 17-7509MJ

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of April 30, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Armando Sandoval Ochoa, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Nogales, Arizona, on or about June 11, 2003, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1). I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

**See Attached Statement of Probable Cause Incorporated By Reference Herein**

REVIEWED BY: Charles E. Bailey, P.S. for AUSA Jillian M. Besancon

☒ Continued on the attached sheet.

Complainant's signature

Richard G. Prunty,  
Deportation Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: October 18, 2017

Judge's signature

City and state: Phoenix, Arizona

Bridget S. Bade,  
United States Magistrate Judge

Printed name and title

**STATEMENT OF PROBABLE CAUSE**

I, Richard G. Prunty, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On April 30, 2017, Armando Sandoval Ochoa was booked into the Maricopa County Jail (MCJ) intake facility by the Glendale Police Department on local charges. While incarcerated at the MCJ, Sandoval Ochoa was examined by ICE Officer K. Kinghorn who determined him to be a Mexican citizen, illegally present in the United States. On the same date, an immigration detainer was lodged with the MCJ. On October 17, 2017, Sandoval Ochoa was released from the Arizona Department of Corrections and transported to the Phoenix ICE office for further investigation and processing. Sandoval Ochoa was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Armando Sandoval Ochoa to be a citizen of Mexico and a previously deported criminal alien. Sandoval Ochoa was removed from the United States to Mexico through Nogales, Arizona, on or about June 11, 2003,

pursuant to an order of removal issued by an immigration judge. There is no record of Sandoval Ochoa in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Sandoval Ochoa's immigration history was matched to him by electronic fingerprint comparison.

4. Criminal history checks revealed that Armando Sandoval Ochoa was convicted of Aggravated Driving Under the Influence of Intoxicating Liquors or Drugs, a felony offense, on November 18, 2002, in the Superior Court of Arizona, Maricopa County. Sandoval Ochoa was sentenced to eight (8) months' incarceration and ten (10) years' probation. Sandoval Ochoa's criminal history was matched to him by electronic fingerprint comparison.
5. On October 17, 2017, Armando Sandoval Ochoa was advised of his constitutional rights. Sandoval Ochoa freely and willingly acknowledged his rights and declined to make any further statements.
6. For these reasons, this affiant submits that there is probable cause to believe that on or about April 30, 2017, Armando Sandoval Ochoa, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Nogales, Arizona, on or about June 11, 2003, and not having obtained the

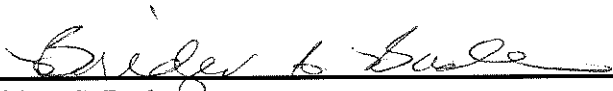
express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1).



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Richard G. Prunty,  
Deportation Officer,  
Immigration and Customs Enforcement

Sworn to and subscribed before me  
this 18<sup>th</sup> day of October, 2017.



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Bridget S. Bade,  
United States Magistrate Judge